

REMARKS

A bona fide attempt has been made by counsel to respond to this office action. Counsel has filed this amendment at this time in order to save the new client the third month's extension fee and to prevent the application from going abandoned.

5       Applicant as is known to the Examiner filed the case pro se, but failed to keep a copy of  
6       the application. Subsequent to filing the new POA counsel requested the Examiner to fax a copy  
7       of the application such that a proper response could be submitted. Examiner King was kind  
8       enough to call on February 4, 2003, to indicate that the file could not be found. Accordingly, a  
9       subpower to inspect and make a copy was given to Louis Rimrodt who will attempt to forward  
10      a copy of the file to counsel.

11 Counsel understands that the current claim or claims are in product by process language  
12 and will make appropriate changes and/or replace the claims with pure product claims after  
13 reading the actual application on file when and as it is found.

14 Counsel begs the Examiner's indulgence due to the unique combination of circumstances  
15 of this case; namely, pro se filing, no retained copy of the application, and a lost USPTO file.

16 · A check for the two month's extension is enclosed.

Respectfully submitted,

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